

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Methyl Tertiary-Butyl Ether
("MTBE") Products Liability Litigation

This document relates to:

Village of Island Lake, a municipal corporation v. Ashland Inc., et al., Case No. 04-CV-02053

) Master File C.A. No. 1:00-1898

) MDL 1358 (SAS)
No. M21-80

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**[PROPOSED] ORDER GRANTING TOTAL PETROCHEMICALS USA, INC.'S
MOTION FOR DETERMINATION OF GOOD FAITH SETTLEMENT**

Upon consideration of TOTAL PETROCHEMICALS USA, INC.'S Motion for Determination of Good Faith Settlement, the Memorandum of Law submitted in support thereof and the accompanying Declaration, including Exhibit A attached thereto, the Court enters this

In Re: Methyl Tertiary Butyl Ether ("MTBE") Products Liability Litigation
Order as follows:

Doc. 2182

The Settlement Agreement dated August 15, 2008 between TOTAL PETROCHEMICALS USA, INC ("TOTAL") and Plaintiff, the Village of Island Lake, was executed in good faith within the meaning of § 740 ILCS 100/2 of the Illinois Compiled Statutes and the cases interpreting that statute including *Johnson v. United Airlines*, 784 N.E.2d 812 (Ill. 2003). Thus, any future claims for contribution or equitable indemnity brought against TOTAL will be barred.

Accordingly, pursuant to Federal Rule of Civil Procedure 54(b), and there being no just cause for delay, TOTAL's Motion for Determination of Good Faith Settlement is hereby GRANTED. The clerk is directed to enter judgment on the issue of the determination that the

Settlement Agreement dated August 15, 2008 is a good faith settlement under the laws of the State of Illinois and that TOTAL is therefore protected from joint tortfeasor claims as set forth herein.

New York, New York
Dated: Dec 10, 2008

SO ORDERED:



The Honorable Shira A. Scheindlin